

SENATE BILL 3303
By Cooper

AN ACT to amend Tennessee Code Annotated, Title 39; Title 53; Title 63 and Title 68, relative to providing prescriptive authority for psychologists.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 63-11-203(a), is amended by adding the following after the second sentence of the subsection:

Practice of psychologist also includes the authority to prescribe and dispense drugs and other treatment procedures within the scope of practice of psychologist as defined by this section. Such prescriptive authority practices include writing orders for a drug, laboratory test, or any medicines, devices, or treatments, including controlled substances rational to the practice of psychology. Licensed pharmacists, laboratories, and health care facilities may fill prescriptions and orders for laboratory tests and devices when written by prescribing psychologists.

SECTION 2. Tennessee Code Annotated, Section 63-11-208, is amended by adding the following new subsections to be appropriately designated:

(f) "Prescribing psychologist" as used in this chapter, means a psychologist with a health service provider designation, as defined in subsection (d), who has been certified as a prescribing psychologist as defined by the board of examiners in psychology. This board shall certify that a psychologist has met the training, education, experience, and examination requirements necessary for certification as a prescribing psychologist. Such certification authorizes prescriptive authority practice including writing orders for drugs, laboratory tests, or any medicines, devices, or treatments including controlled substances rational to the practice of psychology. Only the board of examiners in psychology shall certify a psychologist as a prescribing psychologist who

for the first two (2) years after obtaining prescribing certification shall perform such prescribing under a collaborative practice agreement with a physician licensed under title 63, chapter 6 or 9. After completing two (2) years of a physician collaborative practice agreement, the prescribing psychologist shall no longer be required to prescribe under a physician collaborative practice agreement. After completion of the two (2) year physician collaborative practice agreement, the prescribing psychologist shall maintain communication with a physician to make provision for the diagnosis and treatment of medical problems by a physician with an unlimited license to practice the healing arts in this state. Such postcollaborative practice communications shall be at the discretion of the prescribing psychologist and physician.

(g) "Collaborative practice agreement" means a formal relationship between a prescribing psychologist and a physician, licensed under title 63, chapter 6 or 9. Such relationship shall be in writing and shall include a formulary, arrangements for telephonic or other access, referral procedures and review of twenty percent (20%) of charts of patients for whom medications were prescribed. Such agreements shall be filed with the board.

(h) The board of examiners in psychology is responsible for the promulgation and administration of all of the rules and regulations governing the practice of psychology. The board shall appoint and convene a multidisciplinary health professionals group specifically charged to advise the board in the development of rules and regulations governing collaborative practice agreements between physicians and prescribing psychologists. This multidisciplinary group, chaired by a member of the current board of examiners in psychology, shall be comprised of five (5) members, each of whom is a member of the current health related boards of healing arts in the following professions: psychology, medicine, nursing, optometry, and pharmacy. The promulgation of these initial rules for collaborative practice agreements shall be completed by December 31, 2004.

(i) The board of examiners in psychology shall set the standards and requirements for prescribing psychologist certification based on current educational

testing guidelines stated in the American Psychological Association's publication of Recommended Postdoctoral Training in Psychopharmacology for Prescription Privileges. Such standards and requirements shall include, but not be limited to, the following didactic subject areas and preceptorship-supervision requirements:

(1) Pharmacology/psychopharmacology: child, adult, geriatric, general clinical:

(A) Pharmacokinetics and pharmacodynamics, drug interactions, side effects, substance abuse; and

(B) Serology, laboratory, and maintenance of therapeutic drug levels.

(2) Related sciences:

(A) Neuroanatomy, neurophysiology, neurochemistry; and

(B) Pathophysiology, organ and anatomy systems of functioning and nonfunctioning and metabolism/biotransformation;

(3) Treatment applications:

(A) Consultation with other professionals;

(B) Ethics and professional issues; and

(C) Computer-enhanced record and history accountability;

(4) Preceptorship-supervision: a minimum of one (1) calendar year of supervision with at least one hundred (100) patients in accordance with outpatient supervision-preceptorship models recommended by the American Psychological Association; and

(5) In addition to any other requirements imposed pursuant to this chapter, at least three hundred (300) hours of didactic educational instruction in accordance with the model curriculum standards for prescriptive authority as currently recommended by the American Psychological Association (APA), such as those offered by Fairleigh Dickinson University, the Prescribing Psychologists Register, or other training programs meeting APA's educational requirements; and

(6) In addition to the successful completion of the aforementioned components of the training, education, and experience necessary for prescriptive authority, those seeking certification as a prescribing psychologist must also successfully pass a national examination testing competency to engage in the practice of prescriptive authority, such as the examination offered by the American Psychological Association Practice Organization's College of Professional Psychology or the International College of Prescribing Psychologists Examination with the board of examiners in psychology determining passage levels for any such national examination.

SECTION 3. Tennessee Code Annotated, Section 63-11-204(a), is amended by deleting the period at the end of the subsection and by substituting instead the following:

with the exception of diagnosis and treatment rendered by a prescribing psychologist in accordance with § 63-11-203.

SECTION 4. Tennessee Code Annotated, Section 53-10-105(a), is amended by inserting the language and punctuation "prescribing psychologist pursuant to § 63-11-203," between the language and punctuation "63-8-102(12)," and the language "or veterinarian".

SECTION 5. Tennessee Code Annotated, Section 53-10-105(b)(2), is amended by inserting the language and punctuation "or prescribing psychologist authorized pursuant to § 63-11-203," between the words and punctuation "licensed physician," and the words "and who meets".

SECTION 6. Tennessee Code Annotated, Section 63-10-404(34), is amended by inserting the language and punctuation "prescribing psychologist authorized pursuant to § 63-11-203," between the language and punctuation "§ 63-8-102(12)," and the language "or other allied medical practitioner".

SECTION 7. Tennessee Code Annotated, Section 63-7-103(a)(2)(D), is amended by inserting the language and punctuation ", prescribing psychologist authorized pursuant to § 63-11-203" between the word "podiatrist" and the words "or nurse".

SECTION 8. Tennessee Code Annotated, Section 39-17-402(22)(A), is amended by inserting the language and punctuation "prescribing psychologist" between the word and punctuation "optometrist," and the word "veterinarian".

SECTION 9. Tennessee Code Annotated, Section 68-29-121(a), is amended by inserting the language and punctuation ", or a prescribing psychologist" after the words "chiropractic physician" and before the words "or other health care professionals".

SECTION 10. Tennessee Code Annotated, Section 68-29-121(b), is amended by inserting the language and punctuation ", or a prescribing psychologist" after the words "chiropractic physician" and before the phrase "or other health care professional".

SECTION 11. Tennessee Code Annotated, Section 63-11-218(a), is amended by adding the following language immediately before the period of the first sentence of the subsection:

as well as any initial application fees and other costs specifically associated with any renewal of certification requirements as a prescribing psychologist.

SECTION 12. This act shall take effect upon becoming a law, the public welfare requiring it.